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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,399	11/30/2001	Jeffrey Wayne Pence	421262000500	4273

25224 7590 06/23/2006  
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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/006,399

Applicant(s)

PENCE ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8-12 and 14-17 is/are rejected.
- 7) ☒ Claim(s) 3,13 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 2, 11, 12 and 14-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by Chewning et al, U.S. Patent No. 5,416,831 (hereinafter Chewning).

Regarding claim 1, Chewning discloses a voice mail system (see unit 10 from Figure 1) (VMS) for communicating with a telephone switch (see unit 13 from Figure 1) to assist in displaying a VMS softkey template on a telephone display (see unit 26 of Figure 1) of a telephone (see unit 14 from Figure 1), the telephone switch configured for transmitting a DR packet when an incoming call is received from the telephone,

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transmitting an AC packet containing an action code when an action is taken by a user of the telephone, receiving a DS packet containing a VMS softkey template number identifying a VMS softkey template, and displaying the VMS softkey template on the telephone display in accordance with the VMS softkey template number, the VMS comprising:

a processor programmed for:

receiving the DR packet identifying the incoming call;

receiving the AC packet containing the action code of the action taken by the user, and

transmitting the DS packet containing the VMS softkey template number of the VMS softkey template to be displayed (see Figure 5).

Regarding claim 2, see Figure 1.

Regarding claim 11, Chewning discloses a system for displaying a voice mail system (VMS) softkey template on a telephone display (see unit 26 of Figure 1) of a telephone (see unit 14 from Figure 1), comprising:

a telephone switch (see unit 13 from Figure 1) for transmitting a DR packet when an incoming call is received from the telephone, transmitting an AC packet containing an action

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code when an action is taken by a user of the telephone, receiving a DS packet containing a VMS softkey template number identifying the VMS softkey template, and displaying the VMS softkey template on the telephone display in accordance with the VMS softkey template number; and

a VMS (see unit 10 from Figure 1) communicatively coupled to the telephone switch, the VMS comprising a processor programmed for:

receiving the DR packet identifying the incoming call, receiving the AC packet containing the action code of the action taken by the user, and

transmitting the DS packet containing the VMS softkey template number of the VMS softkey template to be displayed (see Figure 5).

Regarding claim 12, see Figure 1.

Regarding claim 14, Chewing discloses a system for displaying one or more voice mail system (VMS) softkey templates on a telephone display (see unit 26 of Figure 1) of a telephone (see unit 14 from Figure 1), comprising:

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a telephone switch (see unit 13 from Figure 1) for displaying downloaded VMS softkey templates on the telephone display; and

a VMS (see unit 10 from Figure 1) communicatively coupled to the telephone switch, the VMS comprising a processor programmed for downloading the one or more VMS softkey templates to the telephone switch upon startup of the VMS (see Figure 5).

Regarding claim 15, see Figure 1.

Regarding claim 16, Chewing discloses a method for communicating with a telephone switch (see unit 13 from Figure 1) to assist in displaying a VMS softkey template on a telephone display (see unit 26 of Figure 1) of a telephone (see unit 14 of Figure 1), the telephone switch configured for transmitting a DR packet when an incoming call is received from the telephone, transmitting an AC packet containing an action code when an action is taken by a user of the telephone, receiving a DS packet containing a VMS softkey template number identifying a VMS softkey template, and displaying the VMS softkey template on the telephone display in accordance with the VMS softkey template number, the method comprising:

receiving the DR packet identifying the incoming call;

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receiving the AC packet containing the action code of the action taken by the user; and

transmitting the DS packet containing the VMS softkey template number of the VMS softkey template to be displayed (see Figure 5).

Regarding claim 17, see Figure 1.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 8 through 10 are rejected under 35 U.S.C. § 103(a) as being anticipated by Chewning in view of Champlin et al, U.S. Patent No. 6,519,635 (hereinafter Champlin).

Regarding claim 8, Chewning discloses a voice mail system (see unit 10 of Figure 1) (VMS) for communicating with a telephone switch (see unit 13 of Figure 1) to assist in displaying one or more VMS softkey templates on a telephone

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display (see unit 26 of Figure 1) of a telephone (see unit 14 of Figure 1), the telephone switch for displaying downloaded VMS softkey templates on the telephone display, the VMS comprising a processor (see Figure 1) programmed for downloading the one or more VMS softkey templates to the telephone switch upon startup of the VMS; wherein every VMS softkey template download from the VMS to the telephone switch must include a manager request using an identifier (see Figure 5).

With further respect to claim 8, Chewning does not explicitly mention the manager and the object identifier are of the SNMP variety. Regardless, Champlin shows this feature (see columns 1-3). And so, it would have been obvious to one of ordinary skill in the art to modify Chewning with the SNMP manager and object identifier of Champlin. This modification would have improved the efficiency of Chewning by reducing processor overhead as suggested by Champlin (see column 3).

Further regarding claim 8, the combination of Chewning and Champlin fails to show the SNMP object identifier is 1.3.6.1.4.1.186.1.22.3.3. Nonetheless, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Chewning and Champlin wherein the SNMP object identifier is 1.3.6.1.4.1.186.1.22.3.3. This modification would have improved



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the system's convenience by employing a unique identifier as suggested by Champlin (see column 2).

Regarding claim 9, see Figures 1 and 5 of Chewning.

Regarding claim 10, see Figure 1 of Chewning.

#### ***Allowable Subject Matter***

5. Claims 3, 13 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

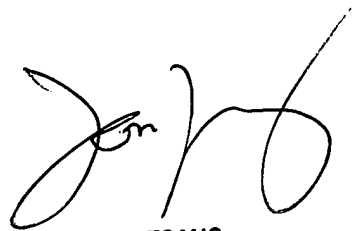
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.

Olisa Anwah  
Patent Examiner  
June 19, 2006



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600